

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

HAFEES ALSTON,)	
Plaintiff,)	
)	C.A. No. 22-183 Erie
v.)	
)	District Judge Susan Paradise Baxter
GEORGE LITTLE, et al.,)	Chief Magistrate Judge Richard Lanzillo
Defendants.)	

MEMORANDUM ORDER

Plaintiff Hafees Alston, an inmate formerly incarcerated at the State Correctional Institution at Forest in Marienville, Pennsylvania (“SCI-Forest”),¹ initiated this civil rights action by filing a *pro se* complaint, pursuant to 42 U.S.C. § 1983, against seven current or former employees of the Pennsylvania Department of Corrections (collectively referred to as “DOC Defendants”), and three independent medical service providers: CRNP Leslie, CRNP Sutherland, and Health Services Administrator Lamoreaux (collectively referred to as “Medical Defendants”). This matter was referred to Chief United States Magistrate Judge Richard A. Lanzillo for report and recommendation in accordance with the Magistrates Act, 28 U.S.C. § 636(b)(1), and Rules 72.1.3 and 72.1.4 of the Local Rules for Magistrates.

Plaintiff’s claims against the DOC Defendants and Defendant Lamoreaux were previously dismissed by this Court (see ECF Nos. 44, 46), and said Defendants have been terminated from this case. As a result, the only claim remaining is Plaintiff’s Eighth Amendment deliberate indifference to serious medical needs claim against Defendants Leslie and Sutherland.

¹
Plaintiff is presently incarcerated at the State Correctional Institution at Frackville, Pennsylvania.

Following discovery, Defendants Leslie and Sutherland filed a motion for summary judgment on February 23, 2024 [ECF No. 63], to which Plaintiff filed a brief in opposition [ECF No. 72].

On May 28, 2024, Chief Magistrate Judge Lanzillo issued a Magistrate Judge's Report and Recommendation ("R&R") recommending that Defendants' motion for summary judgment be granted on the only remaining claim in this case. [ECF No. 75]. In particular, Judge Lanzillo concluded that Plaintiff has failed to establish that Defendants Leslie and Sutherland were deliberately indifferent to Plaintiff's serious medical needs. (*Id.* at p. 13). Objections to the R&R were due to be filed by June 14, 2024; however, no timely objections have been received.

Thus, after *de novo* review of the complaint and documents in the case, together with the report and recommendation, the following order is entered:

AND NOW, this 18th day of June, 2024;

IT IS HEREBY ORDERED that the motion for summary judgment filed by Defendants Leslie and Sutherland [ECF No. 63] is GRANTED, and judgment will be entered in favor of said Defendants and against Plaintiff on the sole remaining claim in this case. The report and recommendation of Chief Magistrate Judge Lanzillo, issued May 28, 2024 [ECF No. 75], is adopted as the opinion of the court.

The Clerk is directed to mark this case closed.


SUSAN PARADISE BAXTER
United States District Judge

cc: The Honorable Richard A. Lanzillo
Chief United States Magistrate Judge